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November 27, 2017

VIA ECF

Honorable Ramon E. Reyes, Jr.
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East, Rm. N208
Brooklyn, New York 11201

Re: *Cortes v Juquila Mexican Cuisine Corp.*; 1:17-cv-3942 (ARR)(RER)

Dear Judge Reyes:

This firm represents the Defendants, in the above referenced matter. We write in response to Plaintiffs' letter to the Court dated November 21, 2017, (Dkt #21) which purports to bring the Court's attention to a discovery dispute. No such dispute exists.

To be clear, on October 17, 2017, the parties were present at a teleconference before Your Honor. Following that initial conference, Your Honor issued an Order which set a settlement conference date of December 7, 2017. In addition, the Order required Plaintiffs' counsel to make a settlement demand by 11/3/17 and Defendants' counsel to respond to that demand by 11/17/17. There was no requirement that any party produce documents.

Notwithstanding the Order, which defendants' counsel cited to Plaintiffs' counsel on several occasions, Plaintiffs failed to make a settlement demand by November 3, 2017. Instead, as if engaged in a fishing expedition, Plaintiffs counsel insisted on seeing Defendants' documents first. Defendants concerns were supported by the breath of Plaintiffs' allegations which appeared to have little basis in fact.

On November 17, 2017, having received no settlement demand from Plaintiffs', Defendants sent Plaintiffs a detailed summary of each individual plaintiff's starting and ending dates of employment, their weekly schedule, and the hours that they worked. Moreover, we

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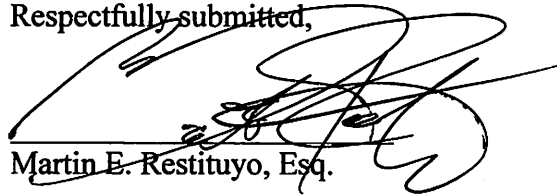
provided pay rates and indicated that there were documents to support these facts. The summary contradicted many of the allegations of the complaint, and encouraged counsel to review these facts with their clients.

On November 21, 2017, Plaintiffs' finally made a settlement demand. I responded by suggesting that I had to review the demand with my clients and counter accordingly. A few hours later, Plaintiffs' filed their letter with the Court.

Defendants respectfully request that the Court reiterate its support for the Order that it issued on October 17, 2017, and give the Defendants time to respond to Plaintiffs' settlement demand. Plaintiffs' insistence on getting documents prior to making a demand or engaging in settlement communications appears contrived. Indeed, if Plaintiffs are telling the truth, their harm is independent of Defendants' records.

Thus, for the reasons set forth herein, Defendants respectfully request that the Court deny Plaintiff's request, and instead give the Defendants until December 4, 2017, by which to counter Plaintiffs' settlement demand.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'MR', is written over a horizontal line. Below the line, the name 'Martin E. Restituyo, Esq.' is printed.

Martin E. Restituyo, Esq.

CC.: Laura Rodriguez, Esq. (Via ECF)